

09/830818

Attorney Docket No. FA/206A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Haimerl et al.

Group Art Unit:

Serial No.: (To be Assigned)

Examiner:

Filed: April 27, 2001

For: SEALED SHOE AND PROCESS FOR  
ITS PRODUCTION

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Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

*Darlene S. McGrath*  
Darlene S. McGrath

*April 27, 2001*  
(date of mailing document)

PRELIMINARY AMENDMENT

Dear Sir:

Please amend the the above-identified application as follows:

In the Claims:

Please cancel claims 1-65 and add new claims 66-124:

66. Footwear with an upper and a sole construction having an outsole, in which:  
the upper is constructed with an outer material and with a waterproof functional layer at least partially lining the outer material on the inner side of the latter and having an upper end region on the sole side with an outer-material end region and a functional-layer end region;  
the functional-layer end region has a region requiring sealing; and  
the outsole is adhesively bonded to the upper end region by means of outsole cement located on it, the outsole cement being formed at least in a subregion of the outsole lying opposite the region requiring sealing of the functional-layer end region by a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state.

67. Footwear according to Claim 66, in which the functional-layer end region has an overhang projecting beyond the outer-material end region, and the outsole cement is formed at least in a subregion of the outsole which is closed in the direction of the sole periphery and lies opposite at least part of the width of the overhang by a reactive hot-melt adhesive which brings about waterproofness when in the fully reacted state.

68. Footwear according to Claim 67, in which the reactive hot-melt adhesive extends over the entire width of the overhang.

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